

Notice of Allowability**Application No.**

10/507,425

Applicant(s)

KIM ET AL.

Examiner

SOPHIE HON

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the supplemental amendment dated 10/29/08.
2. ☒ The allowed claim(s) is/are 1-4, 8, 10-19, 21, 23-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8/15/08
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/29/08
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dana Gronbeck on October 29, 2008.

The application has been amended as follows:

2. Claim 9 is cancelled.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance.

The closest cited prior art of record, US 6,790,914, US 2003/0119961 and US 2002/0119961, fail to fairly teach or suggest, even in view of each other, the polarizing plate which comprises a polarizing film and a protection layer formed of an unstretched transparent film comprising the specific cyclic olefin-based addition polymer which is a homopolymer of the compound represented by Applicant's Chemical Formula 1, or a copolymer of two or more of the compounds represented by Applicant's Chemical Formula 1, where the transparent film has a retardation value in the thickness direction, R_{th} , that is within the range of 60 to 1000 nm, as calculated by Applicant's equation 1, where $n_x \approx n_y > n_z$. It is noted that the phrase "copolymer of two or more kinds of the compounds represented by Applicant's Chemical Formula 1" means that the copolymer is formed of two or more of the compounds represented by Applicant's Chemical Formula 1 in the context of Applicant's disclosure (page 11, lines 9-15) which is translated from the foreign priority document KR 10-2003-0007474. While US 6,790,914 and US 2003/0119961 both teach a cyclic olefin-based addition polymer which can be a copolymer of a compound represented by Chemical Formula 1 of Applicant, they teach that the silyl group-containing compound is essential, and thus fail to teach a homopolymer of a compound represented by Chemical Formula 1 of Applicant, or a copolymer of two or more kinds of the compounds represented by Chemical Formula 1 of Applicant. Furthermore, both references also fail to teach the

specific optical retardation properties of the unstretched film. See Applicant's arguments in the remarks section dated 08/15/08.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on (571)272-1401. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794